

Exhibit 3

STATE OF TEXAS

SENATE COMMITTEE ON CHILD PROTECTIVE SERVICES,

SPECIAL

SENATE CHAMBER

MARCH 17, 2022

EXCERPTS OF THE COMMITTEE HEARING

TESTIMONY OF DEPARTMENT OF PUBLIC SAFETY DIRECTOR

COL. STEVEN MCCRAW

1 SENATOR KOLKHORST: Members, we are
2 going to redirect our panels, and at this time I
3 would like to call Colonel Steven McCraw, director
4 of the Department of Public Safety.

5 And I think I saw -- yes, Director McCraw,
6 welcome.

7 Director, I had asked you to be present
8 today to talk about the specific case that created
9 the formation of this committee but -- and what you
10 can share in those details, but also processes of
11 when the DPS does become involved in these
12 particular issues.

13 And so I know yesterday you issued a
14 letter in the ongoing pursuit of what really
15 happened at The Refuge. And so I will ask you to
16 testify to that.

17 COL. MCCRAW: Madam Chair, Senators,
18 Steve McCraw, Director of Texas Department of Public
19 Safety first, thank you for the opportunity to
20 testify today.

21 First, it was March 10th, that the
22 Department was directed by the governor to conduct
23 an investigation to identify if there's any
24 instances of sexual abuse or sex trafficking at The
25 Refuge shelter, which is contracted by the

1 Department of Family and Protective Services. We
2 dispatched a team of Texas Rangers to that location.

3 And without going into all the aspects of
4 it in terms of the interviews and documents and
5 stuff, there was clearly, you know, two instances of
6 employee misconduct that were obviously the most
7 disturbing. One being the most egregious that was
8 reported initially on January 24th of 2022 involved,
9 you know, the sexual exploitation of two minors
10 specifically. You know, they were recruited to
11 provide nude photos allegedly in exchange for money
12 and/or drugs. That's under investigation right now.

13 When it was brought to the attention of
14 The Refuge, they reported it to the Department of
15 Family and Protective Services. They also reported
16 to it the Bastrop County Sheriff's Department that's
17 conducting the investigation.

18 Although no arrests have been made at this
19 time, we anticipate that there will be prosecution.
20 We would expect it to be sexual exploitation of a
21 minor and also child pornography. And that's up to
22 the prosecutor at the time, but they are an ongoing
23 investigation. And the only thing that's
24 outstanding right now is digital evidence is what
25 they're waiting on at this particular point.

1 The second incident was reported on
2 February 20th. It involved the escape of two
3 residents females at the location. In that
4 instance, again, The Refuge identified the
5 employees -- and I say initially it was employees,
6 but it turned out to be an employee involved.
7 Confronted her, terminated her. And she has been
8 arrested. She was arrested for providing false
9 information to the Bastrop County Sheriff's
10 Department.

11 The Bastrop County Sheriff's Department
12 was also able to locate the first escapee, okay,
13 that evening and returned her to the facility. The
14 second one returned the following day on her own
15 volition.

16 Further investigation by the -- well, they
17 did report it again to the sheriff's office, they
18 reported it to DFPS, and the -- and the institution
19 itself fired three additional employees, okay, and
20 not for this particular instance but for, as we
21 understand it, not being forthright on other
22 administrative allegations. Were unable to identify
23 any instances where children outside of that were
24 involved and -- or had been exploited in terms of
25 sexual abuse or sex trafficking.

1 We are aware that there was reported to
2 the Court on May 10 -- March 10, it was reported to
3 the federal district judge and the court monitors, a
4 report that was written early in the morning or late
5 at night, whenever you want to look at it, at 1:00.
6 And that report discussed and referenced in terms of
7 seven children being victims of nine perpetrators.
8 So when we looked and scoured at all the particular
9 evidence to identify anything, any criminal conduct
10 whatsoever, and we were unable to identify it.

11 In review of the files, we determined that
12 one of the complaints, for example, what they would
13 call an outtake, involved -- were duplicative. Or
14 actually, two were duplicative in the regard. One
15 involved a medical complaint, neglect, a complaint
16 regarding negligence. Another one, an employee
17 sleeping on the job. And another had to do with
18 just neglect. Those had nothing to do with sexual
19 trafficking, sexual abuse and certainly sexual
20 exploitation as we saw in the other instance in that
21 regard.

22 This information was documented in a DFPS
23 report, provided to the court monitors. Before it
24 was, it went through DFPS general counsel, and there
25 was many adaptations on it and qualifiers, for

1 example, caveats that this information is
2 unverified, this information may have some
3 inaccuracies. This is a summation of conjecture by
4 child protective service investigators or special
5 investigators. So those caveats existed; however,
6 they were removed before they were forwarded to the
7 federal district judge's court monitors. And, of
8 course, those were the basis of those reports
9 regarding sex allegations going unaddressed at
10 the -- at The Refuge.

11 That concludes my testimony.

12 SENATOR KOLKHORST: Thank you,
13 Director McCraw. Senator Perry.

14 SENATOR PERRY: Thank you, Madam
15 Chair.

16 Real quick, to be clear, just so that I've
17 got a clear understanding, two employees are, I
18 guess, tied up in this issue?

19 COL. MCCRAW: Yes, sir. The first one
20 is sexual exploitation on January 24th, and the
21 second one, February 20th, involving the escape of
22 two.

23 SENATOR PERRY: Escape. And you don't
24 have to tell me if you're not supposed to, but did
25 you actually interview the girls or the kids at

1 the facility?

2 COL. MCCRAW: Either we did or someone
3 else did through the crisis or the --

4 SENATOR PERRY: So through the --

5 COL. MCCRAW: -- child advocacy. Yes.

6 Yes.

7 SENATOR PERRY: All right. Thank you.

8 COL. MCCRAW: There's one -- there's
9 one outstanding, and she was a volunteer. She
10 wasn't placed in there by DFPS. We're still trying
11 to talk to her. And there's one other interview we
12 would like to conclude that was -- would have been
13 involved in the phone conversation and monitored it,
14 or at least heard the phone conversation that
15 occurred, you know, between DFPS and the court
16 monitor.

17 SENATOR PERRY: So no evidence that it
18 was pervasive 100 percent employee worked for some
19 staff or any of that?

20 COL. MCCRAW: No, sir.

21 SENATOR PERRY: Thank you.

22 SENATOR KOLKHORST: Senator Huffman.

23 SENATOR HUFFMAN: Yeah, just a couple
24 of questions.

25 Thank you for being here. Thanks for the

1 work that DPS has done on this case.

2 I think you're a good person to ask this
3 question. I know many people involved in these
4 types of cases know this, but I think it's important
5 to publicly state, and so people may not understand,
6 but victims of human trafficking very often are
7 similar to victims of domestic abuse. Is that
8 correct?

9 COL. MCCRAW: Yes, that is correct.

10 SENATOR HUFFMAN: They have a --
11 sometimes have a very hard time adjusting to life
12 once they're removed from that situation. Is that a
13 fair thing to say?

14 COL. MCCRAW: Yes, ma'am. Absolutely.

15 SENATOR HUFFMAN: And it's not unusual
16 for victims, and sometimes the very young ones as
17 well, as we have -- we have here in The Refuge, to
18 be very confused about themselves, about their
19 lifestyle and actually want to revert back to the
20 lifestyle.

21 COL. MCCRAW: Yes, ma'am.

22 SENATOR HUFFMAN: Is that -- is that
23 correct?

24 COL. MCCRAW: Absolutely.

25 SENATOR HUFFMAN: So they are very

1 vulnerable, and they are very difficult sometimes to
2 keep in a very sheltered environment and to give
3 them the therapy and the help that they need.

4 And so would you agree -- and this goes to
5 Senator Miles' point, it's very important that
6 individuals who work in that system are very, very
7 attuned to the needs and the uniqueness of this
8 vulnerable victim population. Is that fair to say?

9 COL. MCCRAW: Absolutely.

10 SENATOR HUFFMAN: Would you agree that
11 taking nude photos of a young female, a juvenile
12 female in a situation like that is just about one of
13 the worst things that you could do to a young woman
14 that we were trying to educate and give therapy to
15 and give her self-confidence and belief in herself
16 to make her be able to get rid of this chain of
17 being a victim, I mean, that's just about the worst
18 thing you can do is exploit her body, correct?

19 COL. MCCRAW: It's despicable.

20 SENATOR HUFFMAN: Despicable.

21 And helping one of these victims escape
22 back into the community and maybe -- you said one
23 came back and it worked out. But would it be safe
24 to assume that it is very likely that if one of
25 these individuals or victims who if they wanted to

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1 escape and they go out, that they will probably go
2 back to the very perpetrator or, you know, pervert
3 who had been exploiting them in the first place?

4 COL. MCCRAW: Yeah, most -- most often
5 they do. And they revert back, and they're very
6 susceptible at that point in time. And that's why
7 we applaud the Bastrop County Sheriff's office
8 quickly located one and, you know, additionally, you
9 know, assisting in the recovery of the other one.

10 SENATOR HUFFMAN: Okay. I just wanted
11 to make that public and make sure that we think
12 about that as we go through these steps.

13 Thank you very much.

14 SENATOR KOLKHORST: Back to Senator
15 Perry for a follow-up.

16 SENATOR PERRY: Real quick. You know,
17 I want to be real careful here, but -- and if you
18 can't address it, I get it. But there was an
19 explanation given that one, if not -- I think one,
20 maybe both, one wanted to leave the facility out of
21 fear of safety because they were involved in some, I
22 guess, witness protection for lack a better term.
23 Are you aware of that? And if so, have you stepped
24 up security on that level? Because if evidently one
25 of the kids have been actively engaged in kind of

1 turning over some of their previous lifestyle
2 employers, if you will, for lack of a better term, I
3 mean, can you say anything to that, or --

4 COL. MCCRAW: We're not aware of any
5 specific or credible threats on anybody at the
6 shelter.

7 SENATOR PERRY: Okay. Well, that's
8 inconsistent I think with some of the information
9 internally that is being said, that the excuse given
10 for leaving the facility was out of fear of safety
11 because they were afraid that their previous
12 association with those involved in human trafficking
13 were coming to get them.

14 COL. MCCRAW: Yes, sir, exactly.

15 SENATOR PERRY: And you're not aware
16 of any --

17 COL. MCCRAW: I'm not aware, no, sir.

18 SENATOR PERRY: Thank you. But even
19 if you're not aware of it, is it something that we
20 as, I guess, you being you, and you've got plenty on
21 your plate, but should we address that with at a
22 minimum some additional security out there until
23 those issues could be --

24 COL. MCCRAW: Before we answer that, I
25 prefer that we would actually do a threat -- a

1 technical threat -- physical threat assessment to be
2 able to answer the question.

3 REPRESENTATIVE PAUL: And I'm not in
4 your business, because you're the best at it, but
5 you need to talk to that facility and get that story
6 nailed down, because you and I and I think everybody
7 in this capitol understands the ruthlessness of the
8 cartel and some of those gang members that are
9 engaged in this activity, and there are no
10 boundaries and there is no -- there's no
11 reservation, I guess, if they feel compelled to
12 inflict harm.

13 So I would -- I would ask just as a
14 legislator, please follow up at every level that you
15 can and make sure that that doesn't demand
16 additional security over that facility specifically.

17 COL. MCCRAW: Yes, sir. And we do
18 know that anyone can just walk away. It's not --
19 this is not a -- there's -- no one is constrained
20 inside. It's -- the only thing that limits it is
21 transportation.

22 REPRESENTATIVE PAUL: Sure. Well, I
23 think that came up, and it was concerning to me.
24 And if someone felt compelled to do that, leave
25 based on that, then there has to be something that

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1 drove that conversation or decision.

2 You raise a good point, and I think that I
3 did not know it, but this is not your standard state
4 agency, if you will. It's not a -- it's a for
5 profit that has all kinds of different referrals:
6 Private placement referrals, juvi referrals, county
7 referrals. It's not like a traditional -- it's an
8 RTC license, which I even understand that's got a
9 little nuance to it that it doesn't fit in there.
10 But it is kind of a voluntary, in some ways. It's
11 just different than what I think CPS and foster
12 care, in general, has.

13 So you raise a valid point and -- but I
14 would hate for us to miss an opportunity to secure a
15 spot based on a -- based on someone that said we
16 were fearful of it and we didn't follow up on it.
17 So I would just ask that you do follow up on it.

18 Thank you.

19 COL. MCCRAW: And, you know, just
20 for -- just as an unsolicited editorial comment is
21 that what they do is God's work, you know,
22 protecting our kids. It's tough. Tough business.
23 And you see some nasty stuff, and so. . .

24 SENATOR KOLKHORST: Senator Menéndez.

25 SENATOR MENÉNDEZ: Thank you, Madam

1 Chair.

2 Col. McCraw, thank you for everything you
3 do every day to keep many Texans safe and running
4 the agency you do.

5 Director, you've mentioned that the charge
6 most likely will be sexual exploitation of a minor,
7 possibly child pornography, and that obviously this
8 will depend on the DA. My understanding from
9 reviewing the Attorney General's website, that
10 sometimes these two things can actually tie into
11 trafficking.

12 COL. MCCRAW: Yes, sir.

13 SENATOR MENÉNDEZ: And so my thought
14 is, when the first call went into the sheriff's
15 office and DPS was made aware on January 24th
16 regarding the photographs that were taken -- and my
17 understanding is that an employee convinced, asked,
18 coerced, I don't know, I wasn't there, somehow got
19 one of these children to take images -- or two of
20 them to take images, then sold them and provided
21 drugs to the children. Is that your understanding?

22 COL. MCCRAW: That's what's being
23 alleged, yes, sir. And it was, you know, two
24 children.

25 SENATOR MENÉNDEZ: Yes.

1 COL. MCCRAW: Yes, two children.

2 SENATOR MENÉNDEZ: In your
3 investigation, have you had an opportunity to look
4 into the relationships between the staff? My
5 understanding is there's several members of the
6 staff who are related and that there are at least
7 three who are not related but live together.

8 COL. MCCRAW: Yes, sir. That was that
9 -- I referenced the second incident occurred on
10 February 20th involving the escape certainly.
11 There's one that was charged that we know, in fact,
12 you know, had knowledge of it, was involved in the
13 escape itself. The other three are questionable.
14 But there were, as I understand it, relationships,
15 but they were terminated. You know, two were
16 terminated, one -- one quit. And I believe there
17 were, as I understand it, relationships that weren't
18 reported.

19 SENATOR MENÉNDEZ: And my
20 understanding is that you were asked, I believe, it
21 was on March 10th, you said.

22 COL. MCCRAW: March 10th, yes, sir.

23 SENATOR MENÉNDEZ: And so in your
24 letter to the governor dated March 16th, I think, I
25 was reviewing it, it said something that you found

1 no initial findings. Is that correct?

2 COL. MCCRAW: That's correct.

3 SENATOR MENÉNDEZ: I think that was
4 the --

5 COL. MCCRAW: The sexual exploitation
6 and sex trafficking. Or sex abuse and sex
7 trafficking, which is what we were asked to look at.
8 And except for the one instance that we referenced
9 in January 24th, it was already being addressed by
10 the Bastrop County Sheriff's office was sexual
11 exploitation of a child or a minor.

12 SENATOR MENÉNDEZ: And because these
13 are initial findings, I guess the investigation is
14 still ongoing?

15 COL. MCCRAW: Yes, sir. Until we get
16 the last interview done, I don't want to say it's
17 final because that's -- every interview is
18 important.

19 SENATOR MENÉNDEZ: Well, thank you for
20 your answers. Thank you for being here.

21 COL. MCCRAW: Thank you, sir.

22 SENATOR MENÉNDEZ: And thank you for
23 getting us informed on this. Thank you very much.

24 Thank you, Madam Chair.

25 SENATOR KOLKHORST: Senator Miles.

1 SENATOR MILES: Thank you, Madam
2 Chair.

3 Col. McCraw, I want to also echo thank you
4 for all that you do for the State of Texas.

5 COL. MCCRAW: Thank you, sir.

6 SENATOR MILES: I'm always
7 comfortable, Madam Chair and colleagues, when I know
8 that our DPS is involved in investigations, and I
9 commend them across leadership.

10 I've just got three simple questions and
11 just for clarity for myself.

12 COL. MCCRAW: Yes, sir.

13 SENATOR MILES: I want to thank
14 Senator Menéndez for his line of questioning, which
15 kind of mirrors most of mine. Three of them were
16 left out, and they're real simple.

17 And one of them is, how is law enforcement
18 notified of a reason or reason to believe
19 allegations, and how does the state agency notify
20 law enforcement?

21 COL. MCCRAW: Well, in this instance,
22 they report it directly to the local law enforcement
23 agency. Certainly, the State has -- you know, we
24 can certainly investigate, but our role is usually
25 supportive in that regard. And, frankly, it's

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1 always best to report that to local law enforcement.
2 And we found that they did in both instances, and
3 Bastrop County Sheriff's office is aware of these
4 instances.

5 SENATOR MILES: So would you find it
6 fair to say that protocol was followed as far as --

7 COL. MCCRAW: Yes, sir. Yeah. And
8 they also notified DFPS.

9 And if you really look at it, you know,
10 going that extra step with the DFPS, they also
11 forwarded a copy of the incident to the "JSIC,"
12 (phonetic) you know, so an analyst would have access
13 to that information as well. So we could say even
14 the State had information beyond just DFPS.

15 SENATOR MILES: Okay. Col. McCraw, is
16 there any training of DFPS or HHSC investigators
17 done by DPS or any other law enforcement that you
18 know of?

19 COL. MCCRAW: I think the only one we
20 have been involved is the Interdiction of the
21 Protection of Children, which is a -- which is a
22 curriculum that the Department developed to help
23 patrol officers, but others as well to identify
24 indications and indicators of sex trafficking of
25 children and be able to follow up on it.

1 SENATOR MILES: So there is some
2 training that --

3 COL. MCCRAW: I believe that we -- we
4 have some cross-training. I know when they had, you
5 know, Commissioner Hank Whitman was there, we had
6 been involved in some dual training in that regard.
7 And so we benefitted from them, and I think they
8 benefitted from us. And I'm not aware of anything
9 at this particular moment, but it would not surprise
10 me if there's -- that the IPC curriculum is still
11 ongoing.

12 SENATOR MILES: I guess it's safe to
13 say based on your answer, that you don't -- you or
14 DPS, no one at DPS gets an opportunity to review the
15 training provided by DFPS or HHSC to their
16 investigators?

17 COL. MCCRAW: No, sir, we haven't done
18 any -- we have not done that.

19 SENATOR MILES: Is that something we
20 could consider in the future possibly?

21 COL. MCCRAW: If requested,
22 absolutely. Even by the agency. We'll be glad to
23 help them. As we have been asked in the past to
24 help them, we'll be glad to help them in the future.

25 SENATOR MILES: I would like to see

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1 something like that happen, Colleagues, that we get
2 our DPS and our Rangers under Col. McCraw's
3 leadership to assist in some training for DFPS and
4 Health and Human Services. I think it would be a
5 move in the right direction for us to -- when we
6 talk about training. Nobody to get it from better
7 than Commander McCraw and DPS and the Texas Rangers.

8 COL. MCCRAW: Yes, sir.

9 SENATOR KOLKHORST: Thank you.

10 SENATOR MILES: Thank you.

11 SENATOR KOLKHORST: I want to follow
12 up just a second on some questions, the line of
13 questioning of Senator Huffman. And just on this
14 particular case, I think that you said it -- I don't
15 always hear well in this chamber, but there were
16 several workers in the facility that were related in
17 some way. Am I correct?

18 COL. MCCRAW: It's my understanding
19 there are, yes, relations that were unreported.

20 SENATOR KOLKHORST: Okay. And then I
21 want to ask just in general, when we look at
22 facilities, Senator Perry, there are certain
23 facilities that take only trafficked children. It's
24 a very specialized treatment. There were others
25 that take high acuity. And we can get more into the

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1 details with that agency.

2 When you look at trafficked children, much
3 to what Senator Huffman said -- and I'm sure she has
4 presided over some of these court proceedings --
5 it's a sophisticated ring. Am I right on that?

6 It's very sophisticated?

7 COL. MCCRAW: It can be, yes. I'd
8 almost say it's too sophisticated, because certainly
9 we know gangs have been involved in exploitive
10 and -- we even know to the point that the centers
11 made here is that they'll set up in juvenile
12 facilities, you know, looking for opportunities to
13 exploit females.

14 SENATOR KOLKHORST: And that's a
15 little bit of what I think I was getting to, is that
16 the vetting of people that work at these particular
17 facilities is ultimately important. Am I correct?

18 COL. MCCRAW: Absolutely.

19 SENATOR KOLKHORST: And then the
20 vetting of the children that enter the facility, of
21 course, we want those placements, but then I have
22 been told that there are certain activities where
23 children would agree to go into facilities.

24 Potentially. I'm saying hypothetically. They're
25 kind of the recruiter in ways. They're -- we know

1 that they infiltrate our high schools. They
2 infiltrate other settings.

3 And so the importance of these particular
4 settings, when a girl, and unbelievably boys are
5 trafficked as well, are recovering. And from what I
6 have talked about providers, much to what Senator
7 Huffman said, some of these behaviors are hard to
8 break and that it takes a long time, over a period
9 of time of therapy and working with the child to
10 change those behaviors.

11 And so I think just in your opinion and
12 your position and what I think the Texas Department
13 of Public Safety in my estimation is one of the
14 premier law enforcement agencies in the United
15 States, as we look at these facilities to look at
16 this case, but we're really looking at the
17 processes, there's a lot that needs to be considered
18 when you're dealing with these most fragile
19 children. Is that correct?

20 COL. MCCRAW: Yes, ma'am.

21 SENATOR KOLKHORST: I think you have
22 said this, but the first notification of these
23 events at The Refuge that your department received,
24 was that March 10th when you were asked?

25 COL. MCCRAW: Yes, ma'am.

1 SENATOR KOLKHORST: Okay. And prior
2 to that, local officials had not asked you to step
3 in?

4 COL. MCCRAW: That's correct.

5 SENATOR KOLKHORST: And that's fairly
6 normal when you have a facility that is either
7 located in a city or in a county and, you know, will
8 find this process from the agency, statewide intake,
9 there's a report, you know, all the different
10 procedures of DFPS to HHSC, they usually report to
11 the local law enforcement. Is that correct?

12 COL. MCCRAW: Yes. And the Bastrop
13 County Sheriff's office believed it was an isolated
14 incident related to the January 24th event, and
15 there was -- they didn't ask for additional
16 assistance from the Department of Public Safety.

17 SENATOR KOLKHORST: But agencies --
18 our law enforcement, local law enforcement agencies
19 do have the ability to ask for assistance when
20 needed?

21 COL. MCCRAW: Absolutely. And we'll
22 provide it to them upon request.

23 SENATOR KOLKHORST: And per your
24 letter, what was first reported last week -- I
25 believe the story broke on Thursday afternoon,

1 Thursday evening, that there was an alleged, as you
2 said, seven children, nine perpetrators and sex
3 trafficking of the children happening.

4 COL. MCCRAW: Yes, ma'am.

5 SENATOR KOLKHORST: That particular
6 part of the story per your investigation did not
7 happen?

8 COL. MCCRAW: No, ma'am. There was --
9 as I noted in the letter, there's some material
10 inaccuracies that weren't correct. And review of
11 the documents, underlying documents would have
12 identified that easily, but certainly the follow-up
13 interview with the DFPS employees were able to
14 confirm that.

15 SENATOR KOLKHORST: And then one more
16 question just so we understand the processes.

17 You mentioned in your testimony that from
18 DFPS there was a white paper, something created that
19 goes to the court monitors. And I know that
20 Commissioner Masters will talk about we are required
21 to report things. But that there were certain
22 footnotes deleted. Did you say that?

23 COL. MCCRAW: Well, there was
24 annotations, there was caveats that -- in terms of
25 that this information is summary information, this

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1 information is conjecture by special investigators.
2 This is unvetted information. In other words, it is
3 a draft document, and the author did not intend that
4 document as written to go to the court monitor
5 unless -- until it's -- those things had been
6 addressed. Instead, what happened was the caveats
7 were removed and the document was forwarded. Then
8 that's why the reports that we received and were
9 asked to investigate, we were able to determine what
10 we -- I just reported.

11 SENATOR KOLKHORST: Thank you for your
12 clarification on that statement.

13 And let me just say in the end, that there
14 obviously was criminal activity in this facility,
15 and, again, any exploitation of any child in the
16 state of Texas is unacceptable.

17 Senator Menéndez.

18 SENATOR MENÉNDEZ: Thank you, Madam
19 Chair.

20 I would like to ask a follow-up question.

21 Director McCraw, in your investigation,
22 did DPS review any of the infractions or issues that
23 have happened over the last year at The Refuge?
24 Let's say, have you gone through their file and seen
25 if --

1 COL. MCCRAW: Yes, sir. We went
2 through their files. We -- for a year we looked at
3 their files. We looked at the OIG files for DFPS.
4 We looked at the special investigator files. And we
5 looked -- obviously looked at the case reports from
6 the Bastrop County Sheriff's office.

7 SENATOR MENÉNDEZ: So following up on
8 my colleague's questions about vetting employees and
9 how imperative it is, it is my understanding that
10 the facilities had identified having multiple
11 background check infractions over the last year.
12 Did you find those?

13 COL. MCCRAW: We didn't get involved
14 in the background checks in that regard in
15 individual employees, but we know that there were
16 weaknesses there that were identified by DFPS, and I
17 think by The Refuge itself.

18 SENATOR MENÉNDEZ: Well, this might be
19 an example of how we need to improve the data
20 systems, because my understanding is that HHSC has
21 declared that one of the employees that was working
22 there was -- once gone through the background check
23 was not supposed to be working at this type of
24 facility at all.

25 COL. MCCRAW: Yes, sir, I'm not aware

1 of that. But I would not -- I'm not -- I would not
2 be surprised.

3 SENATOR MENÉNDEZ: Well, we'll be
4 happy to help you provide -- connect those dots to
5 see if that helps with anything else that's going
6 on.

7 You mentioned material inaccuracies. Are
8 you just specifically talking about the sex
9 trafficking, or are there any --

10 COL. MCCRAW: Yes, sir. Yes, sir.

11 You can't -- it was alleged sex trafficking. Some
12 of those things weren't sex trafficking at all.
13 Some of the incidents that were referenced, and when
14 you go back to look at the outtake, it had to do
15 with an employee sleeping on the job or a medical
16 neglect or another negligence report in that regard
17 that had nothing to do with sex trafficking or
18 sexual abuse.

19 SENATOR MENÉNDEZ: I see. All right.
20 Thank you, Director.

21 Thank you, Madam Chair.

22 SENATOR KOLKHORST: Senator Creighton.

23 SENATOR CREIGHTON: Thank you, Madam
24 Chair.

25 Director, good to have you here.

1 COL. MCCRAW: Thank you, sir.

2 SENATOR CREIGHTON: I appreciate your
3 input and always your work on behalf of the State.
4 Always very impressed with you.

5 I just -- I had a couple of questions
6 on -- from a report from the National Human
7 Trafficking Hotline data that's provided. It's from
8 2020. But it talks about during the lockdowns how
9 things have evolved over time where the proportion
10 of victims, trafficking victims from common
11 recruitment sites up to 2020, three of the most --
12 the highest propensity recruitment sites were from
13 strip clubs, foster homes and schools. I was very
14 surprised that those three were at the top of the
15 list, or at least two of the three.

16 And then as a result of the lockdowns,
17 this report from the National Human Trafficking
18 Hotline, the data provided shows through an analysis
19 that the way things have evolved, recruitment from
20 2020 from strip clubs was down 46 percent, from
21 foster homes was down 70 percent, and from schools
22 was down 38 percent, but there was a 120 percent
23 increase on social media sites.

24 So I was just going to ask along those
25 lines, how has the Department modified its

1 investigation, strategies and priorities to shift
2 towards social media? Or assuming for many years
3 you've had sort of a dual prioritization there on
4 top propensity recruitment sites, physical sites and
5 social media, how has that evolved over time, and
6 how do you handle things now for social media on
7 human trafficking?

8 COL. MCCRAW: Well, our priorities
9 remain the same. We have resources dedicated to sex
10 trafficking investigations and we do an ongoing
11 child sex trafficking investigations. And the
12 criminal element just modifies their technique of
13 communicating, and social media is something even
14 the cartels are using right now to recruit, for
15 example, smugglers or drivers to support their
16 criminal operations.

17 So it's -- they used to do it different
18 ways. They used to recruit our kids in the schools
19 in the Rio Grande Valley and along the border. Now
20 they -- they simply use social media to reach out,
21 because they have run out of drivers to San Antonio,
22 Houston with the promise of lots of money.
23 Similarly, gangs are very adept at using social
24 media. So it's a different platform to communicate,
25 and, of course, it provides an opportunity for those

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1 that want to exploit children or others for sex
2 purposes to recruit individuals and identify
3 individuals to be recruited. And so we're always
4 mindful of those things.

5 We've talked about it before, whether
6 we're talking about threats of life or threats to
7 our children when -- from sexual predators, we would
8 love to have a greater level of cooperation from the
9 social media companies simply because they're some
10 very smart people, have great capabilities, and
11 unlimited resources to be able to develop the type
12 of algorithms that would identify things that can
13 help law enforcement, one, identify potential
14 victims and rescue them, but also target criminal
15 networks that are exploiting social media and that
16 networks to be able to engage in criminal activity.

17 SENATOR CREIGHTON: I appreciate
18 that -- I just -- I appreciate the explanation and
19 some of the insight into how priorities and
20 strategies and investigations by the Department
21 evolve, especially with the higher uptick on the
22 social media recruitment.

23 The schools component of the recruitment
24 was very surprising to me, probably not to you.

25 COL. MCCRAW: Well, you no longer have

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1 to stay around a playground, okay, or shopping malls
2 or schools or recruit when you can do it on social
3 media. And that's the -- that's the insidious
4 nature of it and the concern that all parents ought
5 to have.

6 SENATOR CREIGHTON: The second point
7 from the data provided in this analysis was that in
8 2020, the proportion of victims recruited by a
9 caregiver increased significantly from 21 percent of
10 all human trafficking victims in 2019 to 31 percent
11 in 2020, which was a 47 percent increase in one year
12 for caregivers to be leading in this recruitment for
13 human -- ultimately what would be a human
14 trafficking victim.

15 So with regard to The Refuge and with our
16 discussion today related to investigations in
17 general, we've talked about -- we've talked about
18 CPS and investigation priorities and the difference
19 between how we appropriate and direct by proxy and
20 then how they have substrategies within their agency
21 for the priorities and how they deploy funds for
22 those purposes.

23 My last question is, assuming that that
24 state agency does not have the skills or the
25 effectiveness in carrying out an investigation that

1 your department does, because you're the best of the
2 best, is there any collaboration, is there any -- is
3 there any upside to considering the training that
4 Senator Miles mentioned, looking into their
5 effectiveness as investigators compared to your
6 effectiveness as carrying out an investigation and
7 collaborating between the two? Knowing that your
8 plate is full, but could there be someone available
9 to assist with that effort?

10 COL. MCCRAW: Yeah, certainly training
11 is the -- we work with our local partners to assist
12 in training, and that's certainly an expectation. I
13 think part of the public safety that has been levied
14 upon us by the state leadership and the legislature,
15 you expect us to be team players do that, and we
16 would be willing to do that.

17 SENATOR CREIGHTON: Thank you.

18 Thank you, Madam Chair. Thank you,
19 members.

20 SENATOR KOLKHORST: Thank you,
21 Director McCraw. We appreciate you being here
22 today.

23 Senator Eckhardt, one question.

24 SENATOR ECKHARDT: Just one. And
25 thank you so much for being here.

1 I was wondering, in the spirit of that
2 kind of collaboration that Senator Creighton was
3 mentioning, would you have any recommendations with
4 regard to vetting of employees for specific
5 populations such as sex trafficked foster children?
6 I understand that the usual background check, just
7 looking at previous criminal behavior, may not be
8 sufficient, and I was wondering if you had any
9 suggestion.

10 COL. MCCRAW: Well, we use -- you
11 know, I know that people don't want to hear it, but
12 certainly, we do the fullback ground investigation,
13 we do the neighborhoods, we do the traditional
14 things you would expect, and certainly the
15 fingerprint biometric check along these lines,
16 but -- and I don't -- it's not a very popular thing
17 to say, but we use preemployment polygraphs. And
18 there's a reason for it. And I couldn't tell you
19 how many criminals that are -- that wouldn't --
20 would have been if not for, you know, the
21 preemployment polygraph that could be employed by
22 the Department of Public Safety. And they were
23 criminals and they had engaged in some despicable
24 criminal activity. But if not for, we wouldn't have
25 identified it.

1 So that's something that I throw out.
2 It's not easy to put a program in place, but if
3 you're a police department and not using such a
4 program, you become a magnet for those that failed
5 it elsewhere.

6 SENATOR KOLKHORST: Thank you.

7 To end this, Colonel, working on this
8 particular subject matter with residential treatment
9 centers and the highest acuity rates are most
10 exceptional children, there has been a trend in the
11 past where we did not stop children from walking out
12 of a residential treatment center. It was like we
13 couldn't touch them. We would allow them to leave.
14 And some facility operators would say, "Well, they
15 might be gone for a day or two, but they'll come
16 back for a hot meal." There is nothing good when we
17 don't know where a child is. Would you agree?

18 COL. MCCRAW: Oh, absolutely. Too
19 many people that seek to exploit them.

20 SENATOR KOLKHORST: So the importance
21 of keeping a child at a center -- and I know that
22 all of you look at me, like, could we really be
23 doing that. There was a trend, there was a judge
24 one day that told our commissioner -- not this
25 commissioner -- that you could not lay a hand on the

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1 child from leaving the facility. Senator Menéndez
2 knows that. And I just think that the importance of
3 us looking at how we keep children safe is that you
4 can't let them walk out of a facility either and not
5 know where they are.

6 COL. MCCRAW: Yeah, and I don't have
7 the core competence or expertise just except being a
8 father and grandfather, I would, you know, also
9 obviously feel strongly about that. But as a
10 professional, I can't really comment from an expert
11 standpoint.

12 SENATOR KOLKHORST: Thank you. We
13 appreciate you being here. And thank you for the
14 work and the service of your agency.

15 COL. MCCRAW: Thank you. Appreciate
16 it.

17 (Concluded.)

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1 REPORTER'S CERTIFICATION

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4 I, CHRISTY R. SIEVERT, CSR, RPR, in
5 and for the State of Texas, hereby certify to the
6 following:

7 That the proceedings were transcribed by
8 me from audio recordings, and is a true record of
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10 I further certify that I am neither
11 counsel for, related to, nor employed by any of the
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15 of the action.

16 Subscribed and sworn to on this the 28th
17 day of March, 2022.

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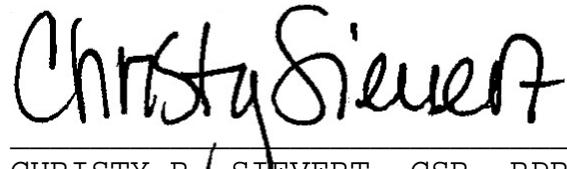
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CHRISTY R. SIEVERT, CSR, RPR
Texas CSR 8172
Expiration Date: 4-30-2023

STATE OF TEXAS

THE HOUSE COMMITTEE ON HUMAN SERVICES

87TH LEGISLATURE

MARCH 21, 2022

EXCERPTS OF THE COMMITTEE HEARING

TESTIMONY OF DEPARTMENT OF PUBLIC SAFETY DIRECTOR

COL. STEVEN MCCRAW

1 REPRESENTATIVE FRANK: The Chair calls
2 up Col. Steve McCraw, director of the Department of
3 Public Safety.

I know you're an expert at this, but
please state your name and who you represent.

6 COL. MCCRAW: Chairman and
7 Representatives, Steve McCraw, director of the Texas
8 Department of Public Safety. Thank you for the
9 opportunity to testify before you today.

10 REPRESENTATIVE FRANK: Thank you.
11 Thank you for being here today.

12 COL. MCCRAW: The Department's
13 involvement began with the governor-directed action
14 back on March 10th. He wanted to ensure that the
15 Department investigate fully all sex allegations or
16 reports of sex trafficking and sexual abuse at the
17 shelter Refuge center in Bastrop County, which was
18 contracted -- or the Department of Family and
19 Protected Services had contracted with to care for
20 children in their custody.

21 We sent a team of Texas Rangers
22 immediately to Bastrop County. We set up a command
23 post and worked the allegations. We interviewed the
24 victims at the -- and when I say "victims," victims
25 in the sense that they're there because they're

1 victims at the shelter, the residents.

2 We interviewed DFPS employees, certainly
3 and Refuge employees, and, of course, reviewed the
4 Bastrop County investigative files as we were going
5 through the course that were seen in terms of abuse
6 or any misconduct by Refuge employees in Bastrop
7 County.

8 I can tell you that the -- well, certainly
9 the sheriff's office has been very cooperative and
10 everyone has been cooperative of this particular
11 investigation.

12 We've noted there was two major instances
13 of misconduct. Very disturbing. Obviously, the
14 first, and I would say most disturbing -- all of
15 them are disturbing anytime you get any allegation
16 of misconduct by an employee that's overseeing
17 children. And the first one was the idea that an
18 employee at The Refuge had taken or been involved in
19 the negotiation of getting nude photographs of two
20 of the residents, minor females at this location,
21 and was in the process or involved in exchanging
22 those nude photographs, okay, for money and/or
23 drugs. That's alleged in the last part right now.

24 This employee was confronted immediately
25 when the outcry occurred by The Refuge. She was

1 terminated at that point in time. It was reported
2 in a timely manner to the Bastrop County Sheriff's
3 Department. They have been conducting an
4 investigation since that date, which was
5 January 24th when the outcry occurred.

6 During the course of their investigation,
7 which we reviewed, clearly, there is -- there's
8 evidence and probable cause to believe that that
9 Refuge employee was involved in the sexual
10 exploitation of a child, two minors specifically.
11 Also that she provided, you know, false information
12 during the course of an official investigation.

13 So those things are being investigated
14 right now. An arrest has not been made for that
15 violation. And when I say "the violation," meaning
16 the sexual exploitation of a minor at this point.
17 They're awaiting some electronic information. When
18 they get that back, there's an expectation -- and
19 we're working with Sheriff Maurice Cook as well to
20 provide whatever support that he may need on the
21 investigation to be able to charge that individual
22 with the sexual exploitation of a child and,
23 possibly, depending on the prosecuting attorney, you
24 know, child pornography.

25 REPRESENTATIVE FRANK: And so just to

1 be clear, this was reported by the agency, or is
2 this -- excuse me -- by The Refuge immediately, or
3 is this something you discovered during your
4 investigation?

5 COL. MCCRAW: It was immediately
6 reported by The Refuge both -- both to DFPS and to
7 the Bastrop County Sheriff's Department as required
8 by law.

9 REPRESENTATIVE FRANK: And the
10 employee -- and the employee was terminated, then?

11 COL. MCCRAW: Immediately, yes, the
12 employee was terminated.

13 REPRESENTATIVE FRANK: And this
14 surprised me, though, but this employee has not been
15 arrested yet?

16 COL. MCCRAW: Correct.

17 REPRESENTATIVE FRANK: The
18 investigation is still going on, but they have not
19 actually been --

20 COL. MCCRAW: Well, there's -- yeah,
21 the one charge, you know, pending the employee --
22 what the employee was charged is providing a false
23 report to a police officer -- or to a law
24 enforcement agency. So that is still outstanding.

25 Okay. And, again, it goes back to, you know, the

1 agency feeling it has reached the necessary
2 information to prosecute the particular case and
3 justify that before the prosecuting attorney. We're
4 confident that that person will be charged with the
5 two violations that I'm talking about as soon as
6 they add that last piece of --

7 REPRESENTATIVE FRANK: Did y'all look
8 at whether or not the employee had been background
9 screened? Did they ignore a background screen,
10 or. . .

11 COL. MCCRAW: They have a background
12 screening process. Okay. So it was -- they use on
13 their employees. We can all debate, well, that's
14 something that policy can -- certainly policy
15 professionals like yourself get to oversee and see
16 is it to the level that you deem appropriate for a
17 particular agency entrusted with children.

18 REPRESENTATIVE FRANK: Okay. Thank
19 you.

20 REPRESENTATIVE ROSE: Chairman.

21 REPRESENTATIVE FRANK: I'm sorry,
22 Representative Rose.

23 REPRESENTATIVE ROSE: You opened it
24 up, so I just want to kind of piggyback on that,
25 because I'm really confused about the nonarrest.

1 COL. MCCRAW: What now? I'm sorry?

2 REPRESENTATIVE FRANK: About the
3 nonarrest.

4 REPRESENTATIVE ROSE: I'm confused
5 about the nonarrest. And you said that you-all are
6 waiting. I mean, if it's already been determined
7 and you have evidence that these things have
8 happened, I'm just really unclear about why this
9 person has not been arrested.

10 COL. MCCRAW: Well, the last piece of
11 information, okay, which is important, is that
12 exchange that -- which will come with the electronic
13 data, the digital evidence. So, you know, it's --
14 law enforcement can be -- you know, we're in a
15 position to make the case to the prosecuting
16 attorney, but in the end they get to decide when
17 charges can be filed or not. And I'm quite
18 confident they will be, but we're waiting to the
19 return -- they're waiting for a return on the
20 subpoenas for the digital information that will
21 prove that, in fact, this person did exchange that
22 data, number one. And also the paid part, that
23 there was money that was exchanged. And that's the
24 requirement right now.

25 REPRESENTATIVE ROSE: So, basically,

1 you don't have the photo?

2 COL. MCCRAW: No, I didn't say that.

3 I didn't say that.

4 REPRESENTATIVE ROSE: There was

5 data -- well, you're saying digital, so that's

6 why --

7 COL. MCCRAW: I said digital evidence.

8 There's not -- not just a photo is digital evidence.

9 Also the method of payment, how the payment was
10 made. There's a number of different things that are
11 outstanding right now.

12 REPRESENTATIVE ROSE: Okay. I'm
13 still --

14 COL. MCCRAW: Just because an
15 investigative agency believes we have met the burden
16 of probable cause doesn't mean a prosecuting
17 attorney has. I'm not saying that's the case in
18 this. We get to present the evidence and try to
19 fulfill all the requirements that meet the
20 reasonable suspicion standpoint or probable cause
21 standard that all the elements of the offense in the
22 statute have been met.

23 And that's usually an ongoing situation,
24 and we understand that the -- it's -- where our
25 place in that role is. And I'm not quite confident

1 that evidence -- we'll be able to present the
2 evidence that they need to be able to prosecute this
3 case. I'm quite confident.

4 REPRESENTATIVE ROSE: And I totally
5 understand that, Colonel, but I guess when you look
6 at any other cases where there's been some type of
7 child exploitation, that, you know, people are
8 arrested immediately. And here we are, State
9 agencies are involved with this, and this person is
10 still running -- I mean, are still out there and has
11 not been arrested when this offense has occurred.

12 COL. MCCRAW: Yeah, well, like I said
13 before, is that we get to -- you know, we're one
14 part -- we're an important part of the criminal
15 justice system, but we're -- we don't decide on
16 what's prosecuted on. We have a burden to be able
17 to provide the evidence --

18 REPRESENTATIVE ROSE: I'm not
19 necessarily just talking about your office. I mean,
20 you're the one who's presenting the information. So
21 I'm just -- you know, just curious as to, again, why
22 this --

23 COL. MCCRAW: I'm just saying the
24 sheriff's office --

25 REPRESENTATIVE ROSE: -- person has

1 not been arrested.

2 COL. MCCRAW: Yeah, well, the
3 sheriff's office has the same standard that we do.

4 REPRESENTATIVE ROSE: So are y'all
5 working together?

6 COL. MCCRAW: Well, we're supporting
7 the sheriff in any way he needs, and we'll continue
8 to help him on this case. But quite frankly, the
9 sheriff has investigators that have done a very good
10 job in responding, and they've done all the basic
11 investigative steps necessary to be able to identify
12 all the elements of the offense. And I think they
13 have done a very good job in documenting that. And
14 we're confident that that exists, that employee was
15 engaged in that misconduct, and that employee should
16 be charged and should be arrested and should face
17 trial for the two violations, at least the two
18 violations that I have talked about.

19 REPRESENTATIVE FRANK:

20 Representative --

21 REPRESENTATIVE ROSE: I don't have
22 anymore.

23 REPRESENTATIVE FRANK: Sure.

24 Representative Noble.

25 REPRESENTATIVE NOBLE: Thank you,

1 Mr. Chairman.

2 Okay. So this was -- the outcry was on
3 January 24th?

4 COL. MCCRAW: Correct.

5 REPRESENTATIVE NOBLE: And so here we
6 are, you know, a couple of months later. Is there
7 anything that would keep this person from going and
8 getting a job with other children at this point if
9 there has not been an arrest?

10 COL. MCCRAW: Well, it depends on the
11 agency. I would imagine. Each individual agency
12 has its own requirements. But, certainly, I think
13 anybody that would conduct a background
14 investigation, even the most cursory one right now,
15 cursory background investigations would be able to
16 identify that this individual has been -- you know,
17 has not been arrested but this individual has been
18 identified as a subject of an ongoing investigation.
19 I think with the data that's available, there's
20 certainly that opportunity. From a department
21 standpoint, if you're asking us from a policy
22 whether a department would hire anybody along those
23 lines, would we be able to detect it, I'm confident
24 that we would be able to. Is it possible that
25 others would not? Absolutely.

1 REPRESENTATIVE NOBLE: I'm just
2 thinking of, you know, a daycare or something and
3 not knowing, not --

4 COL. MCCRAW: Absolutely. I don't --
5 I don't disagree with that.

6 REPRESENTATIVE NOBLE: -- without an
7 arrest on your -- okay.

8 COL. MCCRAW: And -- and quite
9 frankly, you require, you know, bus drivers to get a
10 criminal fingerprint checked through the FBI, and we
11 do those. So even -- you know, there's certain
12 positions that are given a position of trust, and a
13 background investigation is understandable and why
14 you would want that and why the Texas Legislature
15 has been insistent upon certain positions having
16 that requirement.

17 REPRESENTATIVE FRANK: Okay. Thank
18 you very much.

19 Yes, Representative Hull.

20 REPRESENTATIVE HULL: What was the
21 date that y'all -- DPS got involved?

22 COL. MCCRAW: March 10th.

23 REPRESENTATIVE HULL: So prior to
24 that, it was just Bastrop County Sheriff?

25 COL. MCCRAW: Correct.

1 REPRESENTATIVE FRANK: All right.

2 Thank you.

3 All right. Go ahead.

4 COL. MCCRAW: The second concern that
5 relates to misconduct occurred -- or was reported an
6 outcry on February 20th. It involved the escape or
7 fleeing of two of the residents. And the allegation
8 was that a Refuge shelter employee assisted and
9 facilitated that escape, and that, in fact, did
10 occur. And there may be additional charges down the
11 road, but that there was one charge. An arrest was
12 made for providing false information, okay, to the
13 Bastrop County Sheriff's Department. That arrest
14 has been made, but, again, there may be additional
15 charges. We're working with the Bastrop County
16 Sheriff's Office Department right now on that
17 particular.

18 There were a number of other allegations
19 that were made, and, of course, there was some
20 inaccuracy -- some of what we would call some
21 betrayal and inaccuracies that were reported in a --
22 just a document that was designed to be a summation
23 by someone that worked for the Department of Family
24 and Protective Services. And that summation was
25 done late at night, and, arguably, there was some

14

1 unvetted information that was incorporated into it,
2 but there was -- it had many caveats in terms of
3 that's what this is, unvetted information, or more
4 follow up needs to be done or a draft. And those
5 things, unfortunately, were removed, and it was
6 reported as the basis of fact, okay, a document to a
7 court monitor that reports to the federal judge that
8 oversees, okay, the Department of Family and
9 Protective Services and State programs as it relates
10 to children.

11 And so needlessly to say, when that was
12 reported on the 10th -- so the document was written
13 at 1:00 in the morning and reported to the court
14 monitors on the 10th, and the hearing happened on
15 the 10th. So all of that quickly happened. And, of
16 course, as you can imagine, there was many
17 allegations of ongoing sex trafficking, sexual abuse
18 of the residents out at The Refuge shelter.

19 And, of course, after a thorough and
20 exhaustive investigation and deconflicting three
21 different systems that DFPS has, CPS has, HHS has,
22 going through it, listening to recordings, which is
23 necessary to do because sometimes there's a -- you
24 know, what is reported as an allegation and it turns
25 out that it's not really an allegation of it, it's

1 an allegation of sleeping on the job versus sex
2 trafficking, big difference, it's important to get
3 the facts. It's important to report back to you
4 some -- with a certain degree of certainty, that --
5 I can say that we identified no instances of --
6 outside what I've already mentioned, which was
7 sexual abuse of a minor, but no instances of sexual
8 assault or sex trafficking of residents or any
9 children at that location.

10 REPRESENTATIVE FRANK: Yeah. Oh, I'm
11 sorry. Vice Chair.

12 REPRESENTATIVE HINOJOSA: So director
13 I'm very confused because I listened to the -- I
14 have a timeline from DFPS and I watched the entirety
15 of the Senate hearing just a couple of days ago.
16 And -- well, for one, let me start with this.

17 In your letter you say there is, "No
18 evidence that any of the residents of The Refuge
19 have ever been sexually abused or trafficked while
20 at the shelter."

21 Is it not sexual abuse to take nude photos
22 of minors and sell those photos, traffic those
23 photos? Is that not sexual abuse?

24 COL. MCCRAW: I certainly consider it.
25 It's certainly the sexual abuse of a minor. I would

16

1 say that the allegations as it relates to sexual
2 abuse is in the context of -- or rape or trafficking
3 or for pay or rape of the minors at the particular
4 facility.

5 REPRESENTATIVE HINOJOSA: But it is a
6 form of sexual abuse to take --

7 COL. MCCRAW: Absolutely.

8 REPRESENTATIVE HINOJOSA: -- photos
9 and --

10 COL. MCCRAW: It's -- misconduct is
11 the way the statute reads, but absolutely.

12 REPRESENTATIVE HINOJOSA: And the
13 other thing, so we have a situation where there were
14 eleven kids at The Refuge. We have outcries
15 according to the testimony from DFPS in the Senate
16 and according to the timeline provided to us from
17 DFPS, outcries from six children out of the 11, one
18 of whom said the boyfriend of the perpetrator who
19 took the nude photos had previously trafficked her.
20 Another who -- and this is a quote that I wrote down
21 from the Senate hearing.

22 So it was on 2/28. There was an outcry
23 from a child. And this is -- this came from
24 Commissioner Masters in the Senate hearing where --
25 and it's on our timeline, 2/28/22, where a child

1 reported being trafficked, being trafficked at the
2 time, and what was -- and who the trafficker was,
3 and asked the reporter what they were going to do
4 about it.

5 So we have -- that's an allegation of --
6 and so I would think that's evidence. Certainly
7 more needs to be looked into there, but I'm hearing
8 a different conclusion from you than I'm hearing
9 from DFPS to agencies within our administration
10 here, and we're all just trying to assess out what
11 really is the case.

12 And the other thing that we heard from
13 our -- from the testimony is that on 2/1, the agency
14 confirm that the director of The Refuge was aware
15 and did her own private investigation and never
16 reported this to statewide intake. That's at least
17 the way I understood it from the Senate hearing.
18 You testified that it was timely reported.

19 And so I'm trying to figure out what's up
20 with the discrepancies, and if you have reason to
21 doubt the investigation of DFPS, and, if so, if you
22 could share with us why.

23 COL. MCCRAW: Well, we -- I'm not
24 going to -- I don't want to cast dispersions on any
25 agency, especially one that has such an important

1 mission and does such a tremendous job in so many
2 things and so many challenges, but we do investigate
3 for a living at Texas Department of Public Safety.
4 I'm quite confident when our Ranger team came up
5 with -- I can go down the timeline with you. It
6 might be helpful. I know that it was reported --
7 there was multiple sources that must be reviewed to
8 get an accurate picture of the allegations;
9 otherwise, you're just shooting from the hip. And,
10 of course, there's three different systems that I
11 referred to.

12 You know, at DFPS, of course, certainly
13 call version 1.0 in terms of impact. You know, 2.0,
14 1 and 2.1, they've got a version 2, and they've got
15 also a class database at HHSC. And, of course, any
16 one of those could have intakes. An intake to them
17 is like a complaint or someone who's alleged an
18 allegation in that regard.

19 After reviewing all of those records in
20 the above systems, you know, certainly from 1/24 to
21 3/10, we looked at the records from -- that we got
22 on the same date, and including the supporting
23 documentation. And one thing you note is that Iesha
24 Greene was not immediately terminated. Well, as
25 the -- when it was brought to their attention.

1 Well, actually, she was by telephone. I mean, by
2 documents -- if you look at The Refuge documents, it
3 clearly documents that she was terminated by
4 telephone. It wasn't -- it wasn't at the facility
5 when they -- the outcry came to the -- to the
6 attention of the representatives there, and she was
7 never let back on -- and she was banned from the
8 property in that regard. So not just technically,
9 but actually she was terminated at the time. So
10 that was an accurate statement.

11 The Refuge was aware of allegations that
12 allowed children to remain supervised by suspected
13 staff, thereby continuing to expose the children to
14 possible offenders and compromising their safety.
15 That's a serious concern, obviously.

16 And as explained above Iesha Greene was
17 terminated by phone the same day, and that all, you
18 know, of the five suspected to be involved in the,
19 we'll call the -- the incident that -- involving the
20 escape or fleeing of two -- of two individuals,
21 three were confirmed to be involved were terminated
22 or resigned. And none of the suspected employees
23 had contact with the juvenile residents at The
24 Refuge after allegations were reported.

25 On February 26th, they have an intake

20

1 number, and we were advised that her report was not
2 accurate on DFPS intake record. It was a
3 misrepresentation of what she was reporting. And
4 also we're advised that -- in the interview that she
5 did not know if Greene's family was involved and
6 that no knowledge of continued abuse at The Refuge,
7 which was an allegation that was made.

8 And, of course, as a result of these
9 discrepancies that we were advised, that what was
10 entered onto the record was incorrect. And, of
11 course, you know, we asked for and looked at
12 importantly, you know, audio recordings to be able
13 to able to listen to it to see, you know, what is
14 right, was -- is it the witness or is it the
15 document itself? And, of course, the audio
16 recordings and the intakes made -- we reviewed
17 from -- and, of course, it supported the fact that
18 that did not occur.

19 The results of talk -- six intakes
20 involved in the alleged circulation of nude photos,
21 the juveniles, okay, were -- we looked at -- we
22 actually found eight intake reports, and two of
23 those were case entries referencing allegations of
24 nude photos, but it was the same incident. It
25 wasn't a different incident. It was the exact same

1 incident.

2 On February 26th, there's discussion of an
3 intake, an alleged fired staff member was involved
4 in sex trafficking of children. It was a continued
5 abuse of children that was being reported by staff
6 related to the terminated employee, and the sick
7 child was not allowed medical attention. If you
8 review the intake, the actual report that was
9 reported that was involved in posting nude photos,
10 it was the same one on the sex that we had -- I had
11 previously discussed. When interviewed, the female
12 victims did not report the involvement of any other
13 staff other than the one individual that we talked
14 about before.

15 And on the 19th, we interviewed the former
16 employee, Elizabeth, who made the report to DFPS
17 intake, and according to her she doesn't have any
18 knowledge about Greene's family members being
19 involved or any allegations of continued abuse by
20 staff after the Greenes' termination of 1/24, which
21 is the date we talked about in terms of when the
22 outcry occurred.

23 According to -- at the time, the
24 Rangers -- the narrative in the intake was not
25 accurate when she said -- when she reported and when

1 she called on the hotline. A supervisor and her
2 manager was reported, were terminated for ignoring
3 repeated alarms raised by a foster care abuse
4 investigator about the conditions of The Refuge. We
5 have not been provided any information thus far to
6 support that statement. We have a request for, you
7 know, additional information, but there's nothing to
8 support it at this particular time, none of the
9 interviews of all the individuals we have talked
10 about and -- or residents at the -- at the facility.

11 There was an allegation arose, was
12 reported, an allegation arose during the hearing
13 that one of the runaways ran from The Refuge because
14 she was afraid by retaliation of cartel members for
15 impending -- and this is for impending -- the
16 upcoming testimony she was going to be providing in
17 an FBI investigation.

18 She -- we did, in fact, have an
19 opportunity to interview her, and she did not
20 express fear of retaliation by cartel members. She
21 just stated to the investigator that she was -- she
22 ran because she doesn't want to testify in the
23 upcoming trial, not that she was threatened by
24 Mexican cartels. And there's no information to
25 support that she felt in fear of being attacked or

23

1 retaliated by cartel members or her family and
2 certainly not while she was at The Refuge. So that
3 tracks the -- the timeline. And I could certainly
4 go into more details if you would like.

5 REPRESENTATIVE HINOJOSA: Well, I
6 would like to know specifically about the allegation
7 on 2/28 or the outcry from the minor that she was
8 being trafficked, who her trafficker was and what
9 were we going to do about it. Can you specifically
10 speak to that one?

11 COL. MCCRAW: The -- well, first of
12 all, I've got to make sure that we're talking about
13 the exact same one. But right now what I can tell
14 you is that we did look at all of the intakes and --
15 including the one on the 26th that was -- it was
16 reported by an employee that this was occurring, and
17 according -- according to that employee did not
18 occur.

19 REPRESENTATIVE HINOJOSA: I'm sorry,
20 according to the employee what?

21 COL. MCCRAW: It didn't occur, that
22 she didn't report it that way, and it was a
23 misinterpretation of what she said, referring to the
24 family was involved.

25 REPRESENTATIVE HINOJOSA: Okay. But

24

1 I'm speaking of one on 2/8.

2 COL. MCCRAW: 2/8?

3 REPRESENTATIVE HINOJOSA: Right.

4 February 8, 2022.

5 REPRESENTATIVE FRANK: And y'all may
6 not be looking at the same --

7 COL. MCCRAW: Yeah, we may be looking
8 at -- all I -- all I can tell you, Madam Vice Chair,
9 is this, is that we looked at every allegation,
10 intake and every report there was inconsistencies.
11 Some were duplicative and some were
12 misrepresentations. And all I can tell you is that
13 based upon our interviews of the, one, residents,
14 very important, okay, and, two, looking at all the
15 information, that there was no -- other than the two
16 incidents that I've talked about, those were the --
17 those are the instances in terms that have related
18 to the -- we'll call it the sexual abuse or
19 misconduct of children.

20 Now, granted the second one that was
21 relayed on February 20th was the escape of and
22 didn't involve, then, in the -- the two residents
23 that were eventually recovered, didn't report any
24 allegations of sexual assault or sexual abuse, why
25 they were -- why they escaped, fortunately. But,

25

1 you know, there is no other instance or information
2 to support any allegation.

3 REPRESENTATIVE HINOJOSA: Yeah.

4 COL. MCCRAW: And I would -- we
5 certainly will welcome anything that contradicts
6 that and look at anything and any suspect, and I can
7 assure you, if we find anybody that has in any way,
8 shape or form abused, enticed, misused, sexually
9 subdued or harmed a child in any way, shape or form
10 and there's evidence to support it, we'll make an
11 arrest. Make no -- we do that routinely. And we
12 have no qualms about it, I can assure you.

13 REPRESENTATIVE FRANK: I was just
14 going to -- you have used the word -- Colonel, you
15 have used the word "escape" a number of times.
16 These are girl -- the girls are mostly here
17 voluntarily, are they not? Or are they -- this is
18 not a prison, right?

19 COL. MCCRAW: No.

20 REPRESENTATIVE FRANK: So is there --
21 I'm trying to understand the word "escaped."

22 COL. MCCRAW: Well, flee. They were
23 put there by DFPS there. Now, one of them wasn't.
24 One of them was there -- put there as a result of
25 the federal system, but still they --

1 REPRESENTATIVE FRANK: Okay. So they
2 were --

3 COL. MCCRAW: -- left the place
4 without authorization.

5 REPRESENTATIVE FRANK: Okay. Without
6 their -- of their legal --

7 COL. MCCRAW: Exactly.

8 REPRESENTATIVE FRANK: It is -- it
9 is -- okay. I was just trying to make sure, because
10 some of the --

11 COL. MCCRAW: They can't escape. It's
12 not a prison facility, but I would say that, you
13 know, they fled the location.

14 REPRESENTATIVE FRANK: And it was
15 assisted. So that also. . .

16 COL. MCCRAW: Yes.

17 REPRESENTATIVE FRANK: I'm sorry, Vice
18 Chair, and then I'll get to you.

19 COL. MCCRAW: And, Vice Chair, you're
20 probably referring to the girl who said she was
21 trafficked by a boyfriend several years prior to and
22 she was actually in jail.

23 REPRESENTATIVE HINOJOSA: That's
24 another one.

25 COL. MCCRAW: Yeah, that was a

1 different one. Well, that -- that one, you know, we
2 were able to go back and look at when the
3 allegations were made and the individual the
4 allegations were against, and this individual was in
5 jail 80 percent of the time those allegations were
6 made. So. . .

7 REPRESENTATIVE HINOJOSA: So are you
8 talking about --

9 COL. MCCRAW: But I'll be glad to look
10 at -- we'll look at -- like I said, we'll look at
11 anything, you know, and any -- at anytime, and I'm
12 quite confident that we'll -- we'll meet your
13 expectations in terms of resolving it.

14 REPRESENTATIVE HINOJOSA:
15 Specifically, if you -- and so let me understand the
16 extent of the Rangers' investigation. We know the
17 Bastrop Sheriff's office -- we know DFPS has done an
18 investigation. And let me say, I'm a lawyer. I
19 know there's a different standard for criminal --
20 for a crime versus a determination made by DFPS.
21 And so maybe there's -- y'all are looking at a
22 different standard to prove up in court.

23 But there are two -- I heard from the
24 agency also that the perpetrator who sold the photos
25 of our girls naked, we trafficked those photos, that

1 her boyfriend, there was an outcry by one of the --
2 the minors that her boyfriend had trafficked her
3 supposedly in the past.

4 COL. MCCRAW: Correct.

5 REPRESENTATIVE HINOJOSA: In addition
6 to this other outcry of a minor who said, "I'm being
7 trafficked. This is who did it. What are you going
8 to do about it?" And so did your office separately
9 interview employees and the minors, or are you
10 relying on the sheriff's interviews and you're
11 looking at the notes from the sheriff's interviews?
12 Or what does that look like?

13 COL. MCCRAW: We do our actual own
14 interviews.

15 REPRESENTATIVE HINOJOSA: Of the
16 minors as well?

17 COL. MCCRAW: Minors as well. So 23
18 employees we interviewed and the residents at the
19 facility. If we didn't, there was one done. Not
20 for us but on behalf of us in terms of a child
21 advocacy interview. But -- so we've interviewed,
22 you know, near 28 people and reviewed the files and
23 supporting documentation.

24 REPRESENTATIVE HINOJOSA: Was there
25 any evidence that you found that any of the child

1 pornography was sold across state lines?

2 COL. MCCRAW: We're working that right
3 now, but not -- as of yet, no.

4 REPRESENTATIVE HINOJOSA: No. Okay.

5 COL. MCCRAW: But, again, that goes
6 back to -- and the only reason that one person
7 hadn't been charged is we can't prove the
8 criminality until we get that back, until we get the
9 digital evidence back. And that's what we're
10 waiting. And so I'm not saying there's anything
11 reluctant by the prosecution to go forward. There's
12 none -- that's not the case at all. I mean, the
13 prosecution, I've got no doubt, will go forward, and
14 they will be anxious to remedy this. But as you
15 know well, from your experience, is that we can't --
16 we don't make arrests unless we meet the elements of
17 the offense.

18 REPRESENTATIVE HINOJOSA: And so how
19 does your investigation deal with the information or
20 the evidence that DFPS has gathered? Are you
21 working with them to understand how they're coming
22 to the conclusions that they're coming to and why
23 that may be different from the conclusions --

24 COL. MCCRAW: Absolutely.

25 REPRESENTATIVE HINOJOSA: -- you're

1 coming to?

2 COL. MCCRAW: Absolutely. Just
3 like whether -- for example, a recording, if an
4 audio recording is being reported on an intake is
5 related to sexual abuse or ongoing sexual abuse, I
6 mean, you've got to listen to that audio. You need
7 to go back and look at the source in that regard and
8 interview the person that made the audio recording.

9 Is that what she -- "Is this what you said?" And,
10 of course, there's been on at least one occasion
11 where they, "No, that's not what I said." And they
12 were able to -- and on review of the audio, it
13 was -- it didn't happen.

14 And keep in mind, I know DFPS has got --
15 you know, have got a number of different databases,
16 and they've got a number of different complaints,
17 and they've got an obligation to track or capture
18 every intake, what they call an intake. It doesn't
19 matter whether it's correct or not. You've got to
20 record it. You've got to document it. And then
21 you've got to act on it in that regard. And just
22 because it says it's sexual abuse, it doesn't mean
23 it is. And just because it says it may be
24 misconduct and not sexual abuse, it doesn't mean
25 it's not. I mean, in the end someone's got to go in

1 and look at the information and fully investigate it
2 and appropriately so.

3 REPRESENTATIVE FRANK: So if I may --
4 actually, Representative Hull. Okay.

5 So to that point, this is the first time I
6 can remember that such a serious allegation was made
7 public before it was investigated. Can you -- and
8 maybe -- maybe you're not the right person, I may
9 need to talk to the agency, but how do we get to the
10 point where such a -- I mean, obviously, there's
11 some things that were true. But the most serious,
12 the most -- you know, the most -- I want to say the
13 right word -- what's that -- headline inducing was
14 allegations that apparently are false. How does it
15 get to the point where that becomes public record
16 before the investigation? Is it concerning? I
17 mean, honestly, this could happen to anybody in
18 here, right, that --

19 COL. MCCRAW: Yes, sir.

20 REPRESENTATIVE FRANK: -- it -- if
21 we're going to make public information that is --
22 it's really astounding because now you have -- and,
23 honestly, you have moved -- you know, these girls
24 have all been moved from here because of an
25 allegation, right, that hasn't been -- and so how --

1 do you know how we got here? And this may be more
2 for them. I have an idea, but I would like to hear
3 it.

4 COL. MCCRAW: Well, I mean, it --
5 just -- well, the whole reason that we're involved
6 in it is because of reports of ongoing sex
7 trafficking of children at this location. And you
8 can imagine there was yourself, you've got the --

9 REPRESENTATIVE FRANK: There's 800,000
10 intakes a year.

11 COL. MCCRAW: -- you've got the
12 Lieutenant Governor. I've got members calling,
13 what's going -- I mean, how -- in Texas, you don't
14 mistreat, you know, children in Texas. That's --
15 it's a "no go." Right? And understandably,
16 including us, you know, who -- you know, there's got
17 to be something there, because otherwise why would
18 it be reported, you know, during a federal court
19 hearing in that regard as something -- just by
20 itself, we've got to get to the bottom of this.
21 Okay. And that, again -- but as we got to the
22 bottom of it, the document that drove, of course,
23 the initial reports was -- was admittedly by its
24 author, okay, it was --

25 REPRESENTATIVE FRANK: But how does

1 that -- how does that become public? It's a
2 document between DFPS and a federal judge. How does
3 that become public?

4 COL. MCCRAW: Well, actually, it's
5 federal court monitors. I don't know how that --
6 how that eventually became public, but it did become
7 public during a hearing that they had in federal
8 court. And as a result of that, I think it was even
9 the -- I think -- if I'm not mistaken, I don't
10 believe the -- I believe the federal monitors
11 believed what was in that particular report. I've
12 got no reason to believe otherwise. And, certainly,
13 I don't believe why the -- why would the judge
14 believe otherwise as well if it was written in a
15 particular report?

16 REPRESENTATIVE FRANK: Okay.

17 COL. MCCRAW: But at the end of the
18 day, when you go through it, the author herself
19 admitted that this was -- and verified. There was a
20 lot of inconsistencies in it. And she knew that at
21 the time and wrote that, and she had a lot of
22 caveats, draft, unvetted, needs follow up. So
23 there's -- and her notes were annotated, but,
24 unfortunately, the annotations, that would give the
25 reader pause and say, oh, this has not been verified

1 yet, this has not been investigated yet, okay, this
2 hasn't been -- this hasn't been reconciled yet.
3 That's not fact. Okay. In fact, it's -- you know,
4 it's -- right now it's something as a summation in
5 draft form, okay, but was released, okay, without
6 those annotations to the federal court monitor, and,
7 therefore, the federal district judge --

8 REPRESENTATIVE FRANK: So does
9 everything that goes to the court monitor become
10 public, or is it a --

11 COL. MCCRAW: I don't know.

12 REPRESENTATIVE FRANK: -- choice of
13 the court monitor to say, hey, here's an allegation
14 let me make this public now?

15 COL. MCCRAW: I don't know. I don't
16 know that, sir. I couldn't answer that. I can't --

17 REPRESENTATIVE FRANK: Maybe somebody
18 else can.

19 COL. MCCRAW: I can't say because --
20 yeah.

21 REPRESENTATIVE FRANK: Okay. Thank
22 you.

23 Yeah, Vice Chair.

24 REPRESENTATIVE HINOJOSA: Chairman,
25 just to be clear, two days we heard from the agency

35

1 in the Senate, these are their findings. They don't
2 have an official release but -- that's why everybody
3 is confused because we have DPS saying one thing and
4 we have DFPS saying, no, here is a timeline that
5 they provided that's very concerning, alarming, and
6 they've made decisions based on their findings. And
7 so it's not like some one person at 1:00 a.m. just
8 wrote a letter that hasn't been substantiated. We
9 just heard two days ago in the Senate from this
10 agency that this is how they see it.

11 COL. MCCRAW: Well, if you -- if you
12 look at -- just for example, just when you have
13 intakes, they count intakes and you have those
14 and -- and some of those intakes are duplicative,
15 but sounds like there's more than one or three, and
16 then you get right down to it, what's happening is
17 they're talking about the same thing, as an example.

18 Or it's reported as sex trafficking and
19 you really look at it, and then it has to do with
20 misconduct, medical neglect. Okay. Well, it's not
21 sex trafficking. It's two different things.

22 And, similarly, you know, misconduct is
23 rolled into the general allegation of sex
24 trafficking or sex abuse ongoing. And, actually,
25 what it was, is that that one incident wasn't sex --

1 sex trafficking, it was an employee sleeping on the
2 job. So that's why details matter ultimately.

3 REPRESENTATIVE NEAVE: Mr. Chairman.

4 REPRESENTATIVE FRANK: Yes.

5 REPRESENTATIVE NEAVE: Okay. Thank
6 you.

7 And words matter, I agree with you. And I
8 just heard the word "false" being used. And that's
9 why I wanted to clarify, you're not stating that the
10 allegations are false, right?

11 COL. MCCRAW: No, I'm stating that
12 the -- all the allegations that were made that I
13 discussed, we had findings in two major misconduct
14 or employee misconduct, those things are absolutely
15 true.

16 REPRESENTATIVE NEAVE: Okay. And the
17 reason I say words matter is because we already know
18 how difficult it is for survivors to come forward
19 when they are being trafficked or sexually assaulted
20 or sexually abused. So that's why I have, you know,
21 concerns about broad statements such as the one in
22 this letter that says no evidence, that there's no
23 evidence of it, that I know that the vice chair
24 touched on because it's an ongoing investigation.

25 So I wanted to ask you, Colonel, if you

1 could, sort of walk us through the part of the
2 investigation when you're interviewing -- or when
3 DPS interviews the children. So I understand you
4 stated that you interviewed 28 people, 23 of those
5 were employees. How many of those were the
6 children?

7 COL. MCCRAW: Five.

8 REPRESENTATIVE NEAVE: Okay. Of the
9 five children, who interviewed the children?

10 COL. MCCRAW: I'll get back to you.
11 But we interviewed most of them ourselves, but I
12 think in one instance, the one that was there for
13 the FBI was interviewed by somebody else.

14 REPRESENTATIVE NEAVE: Okay. And
15 whenever DPS interviews them, do they go in uniform?

16 COL. MCCRAW: No, not at all. This is
17 Texas Rangers doing the interviews.

18 REPRESENTATIVE NEAVE: Or the,
19 apologies, Texas Rangers.

20 COL. MCCRAW: Sometimes we enlist the
21 support from advocacy centers that specialize in
22 interviewing children.

23 REPRESENTATIVE NEAVE: In the
24 circumstance of those five children that were
25 interviewed, were advocacy centers employed to

1 interview them?

2 COL. MCCRAW: We do that routinely. I
3 can't tell you which ones. We may have used that in
4 this particular instance.

5 REPRESENTATIVE NEAVE: So you're
6 not -- so we don't know specifically who interviewed
7 the five children in this circumstance?

8 COL. MCCRAW: No, all five -- yeah, I
9 can't tell you which Ranger did which interview, but
10 I can tell you all of them interviewed.

11 REPRESENTATIVE NEAVE: I understand
12 that they were interviewed, but I'm trying to find
13 out who interviewed the girls? Was it the child
14 advocacy centers or the rangers?

15 COL. MCCRAW: Yeah, and I'll give you
16 that information.

17 REPRESENTATIVE NEAVE: And it's really
18 important, Colonel, because -- you know,
19 specifically, let's say that it was the rangers.
20 Can you talk to us about, do the rangers go through
21 trauma informed training whenever interviewing
22 survivors sexual assault or abuse?

23 COL. MCCRAW: They're experts at
24 conducting those interviews, in fact, at conducting
25 these investigations. In fact, we do these

1 routinely. We even involve -- we even involve and
2 train our troopers how to -- how to treat children
3 in these situations, because, unfortunately, when
4 the -- when the sex, you know, trafficking and
5 exploitation of children is such that troopers are
6 exposed to it on the roadway and have an opportunity
7 to rescue young victims of sex trafficking.

8 So we make sure that this is a -- is not
9 just something, you know, a specialty within the
10 department of -- but it's ubiquitous -- it's
11 ubiquitous in terms of the skill level whether it's
12 in recruit school all the way through their career
13 that they're looking for this because it's a
14 priority, certainly, of the state legislature and
15 the -- and the people of Texas, but it's a priority
16 of the Department of Public Safety in terms of
17 conducting sex trafficking investigations. In fact,
18 if anyone is an expert at doing those things, it's
19 the Department of Public Safety.

20 REPRESENTATIVE NEAVE: And so the --
21 also with respect to sex trafficking, the sexual
22 abuse and other circumstances --

23 COL. MCCRAW: Exactly.

24 REPRESENTATIVE NEAVE: -- you're
25 saying you-all go through, like, specific training

1 for that.

2 COL. MCCRAW: Absolutely.

3 REPRESENTATIVE NEAVE: Can you get --

4 COL. MCCRAW: And importantly, as you
5 note, I mean, the child is -- the last thing you
6 want to do is traumatize the child --

7 REPRESENTATIVE NEAVE: Right. And
8 that's my --

9 COL. MCCRAW: -- when you're doing an
10 interview.

11 REPRESENTATIVE NEAVE: And that's my
12 concern. And their willingness to open up to
13 whomever is going to talk to them and, you know, may
14 not, for example, want to open up to somebody in --
15 you know, that's wearing a uniform or may feel

16 comfortable if they're not. And that's why I was --

17 COL. MCCRAW: And that's why using --
18 sometimes it's appropriate to use child advocacy in
19 lieu of a uniformed officer or certainly -- or a
20 Texas Ranger, for that matter.

21 REPRESENTATIVE NEAVE: But we're not
22 sure if they were used in this circumstance?

23 COL. MCCRAW: No, I'll let you know
24 which one is which, exactly which children were
25 interviewed by Rangers -- I know at least two -- and

1 which ones we depended upon child advocacy to do the
2 interview for us.

3 REPRESENTATIVE NEAVE: Okay. And the
4 child advocacy organizations, I assume, would be
5 local in Bastrop County?

6 COL. MCCRAW: I'll have to -- before I
7 answer that question, I'll make sure I have the
8 exact who did what.

9 REPRESENTATIVE NEAVE: Okay. Thank
10 you.

11 REPRESENTATIVE FRANK: Representative
12 Hull.

13 REPRESENTATIVE HULL: Hi there. Thank
14 you. You mentioned five children being interviewed,
15 but I know there were six that we're talking about,
16 you know, possible victims. And then so where was
17 the sixth? And then what about were -- why were not
18 all 11 children being interviewed?

19 COL. MCCRAW: Well, the number of
20 residents change over a period of time. Of course,
21 the ones we're -- we had access to the ones that the
22 DFPS put in that location. And they think the one
23 that we didn't interview was, as I understand it, is
24 not -- was there as -- on volunteer purposes. Was
25 not a placement, was there voluntarily.

1 REPRESENTATIVE HULL: So all the 11
2 children, you're saying there weren't 11 children
3 there at the time?

4 COL. MCCRAW: Well, at various
5 different times. And I'll get back to you exactly
6 how many children we talked to and when they were
7 and what time they were.

8 REPRESENTATIVE HULL: And I know going
9 back off of what Representative Neave was saying,
10 I'm also interested in dates of interviews,
11 forensic/nonforensic, locations, child advocacy --
12 was it at child advocacy center, all of those sorts
13 of things.

14 COL. MCCRAW: Yeah. And I'll provide
15 all that information and detail to you.

16 REPRESENTATIVE HULL: Thank you. A
17 couple more quick questions.

18 Does the -- did the facility have security
19 footage?

20 COL. MCCRAW: We didn't see any
21 security footage that we're aware about. I'll --
22 let me follow back up to see if they reviewed any
23 security footage.

24 REPRESENTATIVE HULL: Okay. And then
25 you had mentioned -- and I know it's kept being

1 talked about and in the Senate hearing, the alleged
2 perpetrator who was fired having roommates and
3 family members that worked -- and do they still work
4 at The Refuge? What is -- what is the status there?
5 Because that is concerning.

6 COL. MCCRAW: They were -- they were
7 fired. And it was five overall. And I think three
8 initially were fired. And one was involved with
9 the -- with the escape, and then another one was
10 implicated. But because they were untruthful when
11 they were initially confronted, you know, all of
12 them were fired that were initially identified as
13 related.

14 REPRESENTATIVE HULL: So the -- on the
15 24th, the alleged perpetrator who -- the whole thing
16 with the pictures, that woman was fired?

17 COL. MCCRAW: Correct.

18 REPRESENTATIVE HULL: And then you're
19 saying that same day --

20 COL. MCCRAW: No, the next outcry
21 occurred on February 20th. When that outcry
22 occurred, okay, and that dealt with -- February 20th
23 dealt with the escape -- or excuse me -- fleeing of
24 two, okay, residents, and they were facilitated or
25 assisted by a shelter employee. Okay. And that

1 shelter employee was terminated, okay, immediately.

2 And then during the course of The Refuge
3 investigation, okay, looking at employees, some
4 may -- were not involved necessarily in assisting
5 the child, okay, but because they were untruthful
6 when they were -- initially had the discussions with
7 them, they were terminated as well.

8 So right now, as I recall, there were two
9 individuals that -- one actually physically was
10 involved in terms of assisting the two minors, and
11 then another one, you know, that facilitated was
12 part of the conspiracy, if you will.

13 REPRESENTATIVE HULL: But you said --
14 so three were -- and maybe I misheard you. That
15 three were fired, and then there were you said
16 something about five?

17 COL. MCCRAW: One was charged. Okay.
18 And as I understand it, three have been terminated,
19 and another one, I'm not -- I'm not sure what -- the
20 last one.

21 REPRESENTATIVE HULL: Okay. So do you
22 know, does anyone still -- is still employed that is
23 a relative or roommate with any of those that
24 have -- that are the alleged?

25 COL. MCCRAW: Not that I'm aware of.

1 REPRESENTATIVE HULL: Thank you.

2 REPRESENTATIVE FRANK: Representative
3 Meza.

4 REPRESENTATIVE MEZA: Thank you,
5 Chair.

6 So you had some criticism. We have heard
7 it, so you I'm sure you heard it, about releasing
8 too soon, that there was no misconduct after about a
9 week of investigating. Would you attribute that to
10 what -- some that you have mentioned here, about the
11 difference between the use of the word "misconduct"
12 versus "abuse" versus other terms? Is that why? Or
13 would you like to have an opportunity to respond to
14 that criticism?

15 COL. MCCRAW: Yeah, there -- well,
16 there were allegations that were made. Okay. And
17 certainly every allegation is important, and every
18 report or what they would call an intake is
19 important and needs to be taken seriously. But upon
20 investigation of each one of the allegations, okay,
21 we had determined that several of them were
22 duplicative. They were the same -- they're talking
23 about the exact same one.

24 There's another allegation about a
25 resident that had been abused not while at the

1 facility but prior to had been trafficked by a
2 boyfriend of an employee at the location. And, of
3 course, as it turned out, the time that that
4 allegedly occurred, the boyfriend was in jail at the
5 time. So those conflict with that happening, and
6 that one even predates -- predates the event.

7 There was instances that was reported as
8 sex trafficking or related to sex trafficking on the
9 intakes, that when you look into the underlying
10 documentation, there was really employee misconduct.
11 You know, one had to do with medical neglect, and
12 another one had to do with an employee sleeping on
13 the job. So you can't really track that.

14 So when you look at all the evidence,
15 okay, what really came forward was, okay, there was
16 two major incidents that occurred that -- involving
17 the children, the residents there. And one there
18 was evidence of was certainly the -- we'll call it
19 the sexual abuse of a child, two minors, that
20 relates to the nude photos. That occurred. The
21 outcry occurred on January 24th. It was immediately
22 reported to DFPS. DFPS ensured it was immediately
23 reported to Bastrop County Sheriff's Department and
24 the appropriate authorities. So they did their job
25 in terms of immediately referring it, and it's been

1 investigated criminally by Bastrop County Sheriff's
2 office.

3 We looked at everything we could.
4 Every -- is there anything that we could find that
5 would give us -- that any reason to believe that
6 any -- anyone was involved in the sexual abuse,
7 sexual neglect, sex trafficking of a child, and
8 there was nothing. And right now is solicitation.
9 And so the only thing we have goes back to the
10 outcry that happened on January 24th, and it
11 absolutely happened.

12 And that person, I'm quite confident, is
13 going to be arrested and charged. I just think it's
14 inappropriate for me to say when that's going to
15 happen because I know there's an expectation to meet
16 the final elements of the offense, that we have
17 underlying documentation, which is digital, and we
18 have to have it and we understand that. But I think
19 that's going to happen. There's nothing else.

20 REPRESENTATIVE MEZA: That letter came
21 across kind of like, "Nothing to see here, move
22 along. Nothing to see here."

23 COL. MCCRAW: Well, if there was, I
24 guarantee you, we'd pursue it. And there's nothing
25 more that we take firmly, you know, anybody that's

1 abused a child in any way, shape or form -- and I
2 won't say in particular, but the idea that someone
3 would -- has been entrusted to take care of girls
4 that have been already sexually trafficked and
5 abused would somehow abuse them is, you know,
6 unbelievable that that could occur. And if we had
7 any evidence of it, I can assure you, we would
8 pursue it. We keep the investigation open as long
9 as possible if the evidence suggests it, if it was
10 there.

11 REPRESENTATIVE MEZA: The interview of
12 the two victims about nude photos, did that happen
13 at The Refuge, or did the interviews happen anywhere
14 else?

15 COL. MCCRAW: The -- you're talking
16 about The Refuge employee that was terminated
17 that --

18 REPRESENTATIVE MEZA: The two victims
19 of the nude photos, were they interviewed at The
20 Refuge, or did those interviews happen somewhere
21 else?

22 COL. MCCRAW: I believe they -- those
23 happened -- I'll find out exactly where the
24 interviews occurred, and let you know.

25 REPRESENTATIVE MEZA: Well, I wasn't

1 so much interested in exactly where they occurred,
2 as the fact that they were no longer at Refuge,
3 right? So the interviews didn't --

4 COL. MCCRAW: That's correct.

5 REPRESENTATIVE MEZA: -- actually
6 happen at The Refuge; they did happen somewhere
7 else?

8 COL. MCCRAW: Correct.

9 REPRESENTATIVE MEZA: Okay.

10 COL. MCCRAW: Well, I don't want to
11 say that because I don't know that they didn't. The
12 outcry occurred on January 24th. It was reported to
13 Bastrop County Sheriff's Department on the 24th of
14 January. So I'm not sure whether they -- they could
15 have interviewed them there at that location. So
16 until I -- until I know that, I'm going to -- I'll
17 hold in abeyance my response.

18 REPRESENTATIVE MEZA: The person that
19 was arrested for lying to law enforcement officers,
20 was that a result of lying to the FBI, and is DPS
21 collaborating with the FBI?

22 COL. MCCRAW: Yeah, we're certainly
23 collaborating. But Bastrop County, they lied to
24 Bastrop County Sheriff's Department and the law
25 enforcement agency. The FBI was assisting in the

1 particular investigation. So either/or and whether
2 you do it locally or federally, certainly, you can
3 if you're lying to a law enforcement agency. So
4 that was what the person was -- and it had to do
5 with the child fleeing.

6 REPRESENTATIVE MEZA: Okay. Thank
7 you.

8 REPRESENTATIVE FRANK: Ms. Neave.

9 REPRESENTATIVE NEAVE: Thank you,
10 Mr. Chair.

11 Colonel, were any of the outcries or
12 reports from -- being made by people that were not
13 employees of The Refuge?

14 COL. MCCRAW: I would have to go back
15 and review the timeline, but there's -- certainly
16 some of the intakes involved were audio and -- and
17 could very well be from outside. But for the most
18 part, there were internal or, you know, residents.

19 REPRESENTATIVE NEAVE: Okay. And so
20 if -- and you stated that y'all interviewed only
21 employees of The Refuge and DPS and the children,
22 right? So if --

23 COL. MCCRAW: That's correct.

24 REPRESENTATIVE NEAVE: So if any
25 reports were made by -- and, you know, I'll ask

1 DFPS, because I think from my understanding there
2 is. If it's being made from an outside person
3 that's not, they weren't interviewed, then, by
4 you-all, right?

5 COL. MCCRAW: Unless we could find
6 them. Sometimes these are made anonymously and
7 we're unable to track down who that is. But we
8 looked at -- every allegation that was made, we
9 looked at.

10 REPRESENTATIVE NEAVE: But every
11 person that made an outcry, every person or
12 organization that made an outcry y'all spoke to?

13 COL. MCCRAW: If it was anonymous,
14 there would be really no way to track that person
15 down.

16 REPRESENTATIVE NEAVE: But if they
17 weren't anonymous.

18 COL. MCCRAW: If they weren't
19 anonymous, yeah, absolutely.

20 REPRESENTATIVE NEAVE: Okay. Thank
21 you.

22 REPRESENTATIVE FRANK: Thank you.

23 Yes, Representative Hull.

24 REPRESENTATIVE HULL: Kind of what
25 Representative Noble asked earlier about the woman

1 who was fired being able to work with kids and the
2 one possibly, hopefully will be arrested, the other
3 people that were fired, is there anything that's
4 going to prevent them from being hired? Again, the
5 same sort of question, but. . .

6 COL. MCCRAW: Unless they have been
7 charged with a crime, I don't -- I don't know that
8 there's anything that would be. And so it's -- you
9 know, again, I won't -- it's hard to -- what due
10 diligence an agency uses to ensure that their
11 employees, you know, have the character to be able
12 to handle those particular positions and don't have
13 anything in their background that could conflict
14 with, you know, I can't -- I can't comment on.

15 REPRESENTATIVE FRANK: Again, I think
16 that's -- I think that's a question, if you'll
17 bookmark for DFPS, because that's -- just because
18 that's -- or HHSC, because those are really
19 internal -- you know, if there's -- if there's no
20 criminal record of it, it's pretty hard for you to
21 say.

22 COL. MCCRAW: Exactly. Well, even our
23 own, you know, our own process, I mean, we're all
24 always concerned about who we hire. It matters very
25 much, you know, employees and who you can trust. So

1 we can certainly say we know what we do, but what --
2 the due diligence that we do goes down -- and I know
3 people -- it's not very popular here, but we -- not
4 just in terms of the full criminal background check
5 and the rest that goes with it in terms when you
6 look at a background investigation on an employee,
7 but even -- even preemployment polygraphs for
8 positions of trust because, you know, in the end --
9 you know, they're certainly not sustainable in
10 court, but they have been very helpful in screening
11 out known criminals that have applied to become a
12 Texas state trooper. So. . .

13 REPRESENTATIVE HULL: You had
14 mentioned the girls that were interviewed, and then
15 there were some that weren't. Was every child that
16 had any interaction with those that were fired and
17 the ones that will hopefully be -- the one that will
18 hopefully be arrested, were all of those children
19 interviewed?

20 COL. MCCRAW: Yes.

21 REPRESENTATIVE HULL: Okay. So the
22 ones that weren't had no interaction with these
23 employees?

24 COL. MCCRAW: Well, I won't say no
25 interaction. I'm not sure that they may have

1 interacted with an employee that was -- you know, I
2 want to be careful about what I -- how do I
3 characterize it. We interviewed everyone that there
4 was a related allegation.

5 REPRESENTATIVE HULL: Okay. Right,
6 the sixth.

7 COL. MCCRAW: Except one.

8 REPRESENTATIVE HULL: The sixth one.

9 And it was talked about the photos were
10 purchased and then the children in the pictures were
11 given drugs. What were those drugs? What kind and
12 how often?

13 COL. MCCRAW: We don't know that
14 there's -- we don't know that that was even
15 consummated at that point. So that's being alleged.
16 And that goes to why we're looking at the evidence
17 and why we need some of the evidence to back whether
18 there was consummated. And, of course, we need to
19 be able to demonstrate not just in terms of that but
20 also of the cash exchange.

21 REPRESENTATIVE HULL: Got it. Thank
22 you.

23 COL. MCCRAW: Sure.

24 REPRESENTATIVE FRANK: Thank you.

25 Any other questions? Any other comments?

1 COL. MCCRAW: Well, I can tell you
2 this, that, hey, I don't care where it is, any given
3 time there's an allegation that a child has been
4 misused, trafficked in any way, shape or form, I'm
5 going to fully pursue it. Period. There's no
6 alibis. There's no -- there's no opportunity for
7 sloppy work on along those lines.

8 But at the end of the day, evidence
9 matters, and we have got to prove it. Okay. I
10 mean, the last thing we want to do is, the last
11 thing is very important, you know, convictions are
12 important, but it's more important that it has the
13 right person getting convicted. And we're
14 committed, you know, fully to being able to do as
15 you have charged us to do, and we'll continue to do
16 what we can to address this problem we face.

17 And I can tell you, there's no question
18 about it, anybody that has worked -- I don't care
19 what violations you have worked in life, if you've
20 ever worked sex trafficking of a child, there's
21 nothing more egregious and the depravity of mankind
22 just knows no bounds in that regard.

23 So thank you, Chairman. And thank you for
24 all you do for the state of Texas.

25 REPRESENTATIVE FRANK: I think one

1 more question from Representative Rose.

2 COL. MCCRAW: Yes, ma'am.

3 REPRESENTATIVE ROSE: Colonel, we just
4 have a copy of your timeline?

5 COL. MCCRAW: Yes, ma'am.

6 REPRESENTATIVE ROSE: And how -- are
7 you going to send to it the clerk? Or how are we
8 going to get it?

9 COL. MCCRAW: What I'm going to do,
10 I'm going to a Texas Ranger -- we'll put the report
11 together and send to it the clerk.

12 REPRESENTATIVE ROSE: Okay. Thank
13 you.

14 COL. MCCRAW: So we won't just have
15 the timeline. We'll have additional information,
16 some underlying documentation with it.

17 REPRESENTATIVE ROSE: Thank you.

18 REPRESENTATIVE FRANK: Thank you very
19 much. All right.

20 (Concluded.)

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1 REPORTER'S CERTIFICATION

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4 I, CHRISTY R. SIEVERT, CSR, RPR, in
5 and for the State of Texas, hereby certify to the
6 following:

7 That the proceedings were transcribed by
8 me from audio recordings, and is a true record of
9 the proceedings had;

10 I further certify that I am neither
11 counsel for, related to, nor employed by any of the
12 parties or attorneys in the action in which this
13 proceeding was taken, and further that I am not
14 financially or otherwise interested in the outcome
15 of the action.

16 Subscribed and sworn to on this the 28th
17 day of March, 2022.

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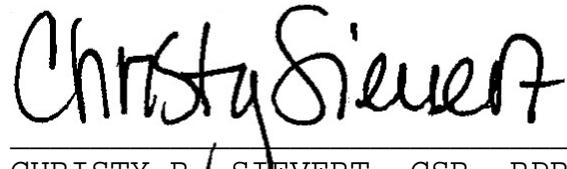
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CHRISTY R. SIEVERT, CSR, RPR
Texas CSR 8172
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